

FISCAL IMPACT STATEMENT ON BILL NO. **H3203**

(Doc. No. 11057ac09.docx)

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TO:	The Honorable Daniel T. "Dan" Cooper, Chairperson, House Ways and Means Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Torina Wood and R.J. Stein		
DATE:	March 24, 2009	SBD:	2009333

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AUTHOR:	Representative Brady	PRIMARY CODE CITE:	44-56-410
SUBJECT:	Drycleaning Facility Restoration Trust Fund		

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ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

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**BILL SUMMARY:**

House Bill 3203 amends Article 4, Chapter 55, Title 44, of the Code of Laws of South Carolina, 1976, relating to the Drycleaning Facility Restoration Trust Fund, so as to, among other things, specify that wholesale drycleaning facilities are subject to the provisions of the Article and are eligible to seek restoration assistance, to authorize DHEC to use funds, other than Trust Funds, if an emergency exists and Trust Funds are not available, to provide exemptions from the environmental surcharge imposed on the gross proceeds of sales of retail facilities, to authorize the property owner to register the facility if the owner or operator does not, and to provide for the issuance of certificates of registration.

**EXPLANATION OF IMPACT:**

Department of Revenue

The Department indicates this Bill will not have a fiscal impact on the General Fund of the State or on Federal and/or Other funds as costs incurred to administer, collect, and enforce the Trust Fund would be covered through revenues and registration fees collected.

Department of Health and Environmental Control

The Department indicates that there should be no impact on the State General Fund since the Article specifies the purposes for which the Fund may and may not be used, and declares that "the State accepts no financial responsibility as a result of the creation of the Fund." The Bill authorizes the Department to use other funds to pay for emergency clean-up (provided the commitments exceed the current balance) and also authorizes the Fund to repay the Department's other sources used to pay for emergency clean-up.

**SPECIAL NOTES:**

Although section 44-56-420 specifies the State accepts no financial responsibility as a result of creation of the fund, the Bill strikes language in that section which states "At no time shall monies from the general fund be obligated to supplement the fund".

Approved by:



Harry Bell  
Assistant Director, Office of State Budget